

SENATE BILL REPORT

HB 2558

As Reported By Senate Committee On:
Water, Energy & Telecommunications, February 22, 2008

Title: An act relating to exempting certain minor new construction associated with construction storm water general permits from the state environmental policy act.

Brief Description: Exempting certain minor new construction associated with construction storm water general permits from SEPA.

Sponsors: Representatives Upthegrove, Clibborn, O'Brien, Kenney and Rolfes; by request of Department of Ecology.

Brief History: Passed House: 2/13/08, 96-0.

Committee Activity: Water, Energy & Telecommunications: 2/22/08 [DP].

SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

Majority Report: Do pass.

Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford, Ranking Minority Member; Fraser, Hatfield, Holmquist, Morton, Oemig, Pridemore and Regala.

Staff: Scott Boettcher (786-7416)

Background: Construction projects must comply with the requirements of the State Environmental Policy Act (SEPA) when they are issued a waste discharge permit by the Department of Ecology (Ecology). This requirement applies to construction projects that disturb one or more acres of land and are covered by an Ecology construction stormwater discharge permit. Until 2005, construction projects that disturbed less than five acres of land were not required to get a construction stormwater permit from Ecology, nor were they required to comply with the requirements of SEPA. When Ecology adopted a new construction stormwater permit in 2005 to meet more stringent federal stormwater requirements, the exemption from SEPA for construction projects that disturbed less than five acres of land was not updated.

Summary of Bill: Construction projects that disturb less than five acres of land and require an Ecology construction stormwater discharge permit are exempt from SEPA. The exemption does not apply if Ecology determines by rule that instances warranting SEPA review exist.

Appropriation: None.

Fiscal Note: Available.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a useful piece of legislation. It provides a good fix for small builders.

Persons Testifying: PRO: Tom Clingman, Department of Ecology; Andrew Cook, Building Industry Association of Washington.